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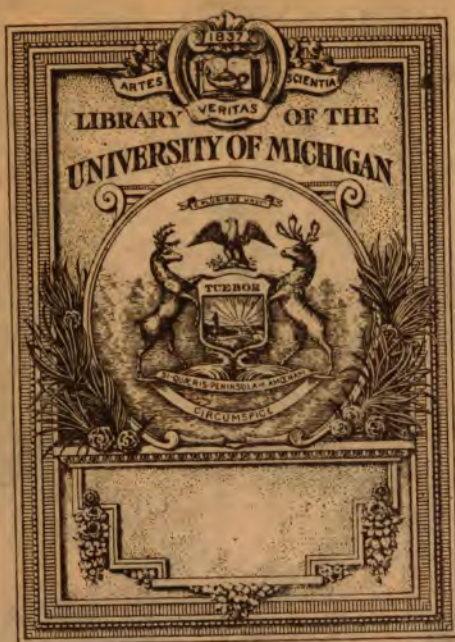
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FREE CHURCH TRACTS

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THE DOVER DECREE

OR,

Christianity Against Freedom.

THREE PAPERS

Reprinted from the Free Church Record, 1897.

THE DOVER DECREE DISSOLVED . ALFRED W. MARTIN.

THE DOVER DECREE AGAIN . . D. J. H. WARD.

THE STORY OF A FOOL . . F. E. ABBOT, Ph. D.

TACOMA, WASHINGTON:
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1897.

THE DOVER DECREE:

OR,

Christianity Against Freedom.

THE DOVER DECREE DISSOLVED.*

11-05-93.
It is extremely gratifying to be able to report that the Unitarians of Dover, N. H., at the suggestion of their "radical" minister, Rev. D. J. H. Ward, have secured from the Supreme Court of New Hampshire the dissolution of a decree which may not improperly be called the crime of '68. For that decree was procured by a part of the denomination (which, in the language of its American founder, Channing, "pledged itself to freedom and progress as its aim and end") for the purpose of silencing freedom of thought and of speech in the person of Francis E. Abbot, who had accepted a call to the church in Dover, June 1st, 1868. Twenty-eight years passed and no Unitarian minister, no Unitarian periodical, ever uttered a word of protest or of regret over this flagrant violation of the principle of freedom to which Unitarianism originally stood pledged. But, in September last, the Unitarians of Dover, N. H., actuated by their present pastor, who preaches the very doctrines for which Dr. Abbot was expelled, presented a petition to the court for the

* This editorial, reprinted from the December number of last year, called forth a tardy reply from Dr. Ward, to which Dr. Abbot has kindly written, at our request, a rejoinder, "The Story of a Fool." These three papers will prove instructive reading to all who are interested in the great religious issue between Christianity and Freedom, a conflict that cannot cease until the principle of Freedom triumphs wholly over that of Authority.—Ed.

removal of the injunction forbidding "Francis E. Abbot or any other person to preach and inculcate, in the meeting house of said society, doctrines subversive of the fundamental principles of Christianity as generally received and holden by the denomination of Christians known as Unitarians."

The petition was granted and the decree is dissolved. But, gratifying as is the fact that this decree, which has been in full force for so many years, is now dissolved, the method of securing its dissolution was sadly at variance with what the spirit of justice and fairness demands. To begin with, in the petition it is the Unitarians who pose as martyrs in the case, oppressed by a tyrannical court! The name of the actual martyr nowhere appears in the petition. Not a word is there in it of regret over the exile and irremediable suffering which the decree caused him who loved the ministry more than aught else. The fact that the decree was secured by a minority of the Dover Unitarian Society (secretly backed by the American Unitarian Association) is not even hinted. Nothing in the nature of a frank admission of the shame felt at realizing the existence of such a decree. And, to cap the climax, the decree was removed without even notifying Dr. Abbot, the party enjoined!

When Dr. Abbot entered the Unitarian ministry in 1863, Unitarianism had as yet no collective creed. But, in April, 1865, it organized in national form, and the famous "Preamble" became "a very effective, but not an ingenuously confessed creed." At Saratoga, in 1866, Dr. Abbot made an unsuccessful attempt to reform the Preamble-Creed. In that year the National Unitarian Conference re-affirmed the Preamble-Creed and thereby excluded Dr. Abbot and others from its fellowship. And when two years later he discovered that there was no hope of Unitarianism rising in

defence of the principle of freedom, Dr. Abbot, for the first time, as he says, fully perceived that Christianity is necessarily pledged to the "Christian Confession" that "Jesus is the Christ of God." Having outgrown that Confession, he realized that he ought not to stand in any Christian pulpit, and this conclusion he announced to the Dover Society, of which he had been minister for nearly four years. But his friends were numerous and strong. They sought to keep him in Dover on his own terms. An "Independent Religious Society" was organized, composed mainly of the majority of the old Unitarian Society, and they held their Sunday services in the Unitarian building. This led to a famous lawsuit, in the progress of which the members of the new society were treacherously induced by their counsel to take the ground that they were not a new society, but only the radical wing of the old society. In vain did Dr. Abbot protest against this betrayal of the movement and of himself. He resigned in October of the same year. The decree was a righteous one, for it was based on the truth that Unitarian Christian means the Christian dogma, whatever else it may mean besides. And it would have been far better to let the decree stand until that truth is frankly recognized and admitted. This, we know, would have been Dr. Abbot's wish and request had he been consulted. The decree proved conclusively that *Unitarian Christianity* cannot be *Free*. And the dissolution of the decree leaves this fact unaltered, because there still exists a "standard of Unitarian orthodoxy," or, "the banner of Unitarianism" as the *Christian Register* calls it, namely, the new preamble of the National Conference, requiring acceptance of "the religion of Jesus" and the 'Christian' name as a condition of honorable fellowship in the denomination.

EDITOR.

THE DOVER DECREE AGAIN.

In the December number of the *Free Church Record* there appeared an editorial on the above subject. Certain statements in it lead to misapprehension. The writer surely was not thoroughly familiar with the situation. It says: "No Unitarian minister ever uttered a word of protest or regret," etc. Many Unitarian ministers have uttered regrets, and one at least (Rev. Charles A. Allen) made an earnest attempt to secure the dissolution of the decree.

Again it says the present pastor "preaches the very doctrines for which Dr. Abbot was expelled." This is wide of the mark. Dr. Abbot denied utterly the use of the term "Christian" as applied in any way to himself. The present pastor does not. He holds to a clear distinction between the historico-theological and ethical meanings of the word. It was over this word "Christian" that Dr. Abbot's estrangement from the Dover church occurred.

Farther on it says "the method of securing its dissolution was sadly at variance with what the spirit of justice and fairness demands." This is simply preposterous. Its writer knew nothing of the "method of securing its dissolution," except the resolution which was passed by the church to make the attempt.

He says "in the petition it is the Unitarians who pose as martyrs in the case." The writer of the editorial never saw the petition. He only saw the resolutions passed at the church meeting. Moreover, the Unitarians are "martyrs." I understand Dr. Abbot removed himself from all relations with the church before the decree was issued; thus, although he was primarily the chief sufferer, he was by this removed beyond the recognition of the law in the matter. The writer of the editorial says "the decree was removed

without even notifying Dr. Abbot, the party enjoined." Had the writer carefully read the decree, he would have seen that Dr. Abbot was not the party enjoined. The decree distinctly names the then serving wardens and proceeds to say, "and all other wardens and members of said society, be jointly and severally strictly enjoined and forbidden to hire, employ, allow, suffer or permit said Francis E. Abbot, or any other person to preach and inculcate," etc. Hence the Unitarian Society, and no one else, are the parties recognized by the law. Few or many words of regret concerning any of the original sufferers would have been childish and irrelevant. The whole of the present society and many others in the past have regretted beyond expression the pain which the original suit had caused Dr. Abbot, and through their present minister he was notified on the very day of the removal of the decree, that the principle of legal freedom had triumphed. It is believed by the present society that the decree was unjust in various ways, and that it was an unjustifiable and unconstitutional intervention of law against freedom of speech; also that the Court should have then and there compelled the society to settle its own difficulties within its own meetings, according to the original articles of its own congregational foundation.

The fact that Dr. Abbot removed to Toledo and was for a considerable time the minister there of an Independent church is sufficient refutation of the inference made in the editorial that he was driven from the ministry (anywhere in the world) because a New Hampshire Court had enjoined the wardens of one small society against hiring him.

It is an admitted fact, shown by the Court records, "that the decree was secured by a minority of the Dover Unitarian Society," but does the writer of the

editorial know what he says, when he adds, "secretly backed by the American Unitarian Association?" Unitarianism has ever contained so-called conservative and liberal tendencies. There were those outside this church who in 1868 were anxious for the decree; and conservative testimonial definitions as to the nature of Unitarianism were obtained from some of them. But this is far from an official action of the American Unitarian Association body.

Further on, the writer says "the Decree was a righteous one, for it was based on the truth that Unitarian Christian means the Christian dogma, etc." There are many difficulties in such a remark as this, which the writer apparently has not perceived. What is "the Christian dogma?" Does the writer assume to define it for the rest of the world? Does he mean to assert that the term Christian is not and cannot be used in any sense but his? Does he think there are no "things in heaven and earth that are not dreamed of in his philosophy?" Why was the Decree righteous, when it contradicted the constitutional pledge of freedom of conscience and liberty? He thinks that "It would have been far better to let the Decree stand until that truth is frankly recognized and admitted." "That truth" refers to the statement that "Unitarian Christian means the Christian dogma." Until the writer of this understands better the various meanings of the term "Christian" as well as the conditions of this case, would it not be advisable for him not to say what would be "far better" for his distant neighbors? The one thing which the FREE CHURCH RECORD insists upon is, that it is "not Christian" in any sense of the word. It seems likely to convince the world that it tells the truth!

Finally, "the Decree proved conclusively that Unitarian Christianity cannot be free." I will not

assume to know all the meanings of the word "free ;" but, so far as I understand them, and using the term Christian in the sense that I do, at least some Unitarianism is free. And Unitarianism generally must have a considerable element of the "free," else so many outspoken men would not be working within its broad organization. The word "Free" was printed with a capital letter. By this is implied that the writer understood it as a proper noun. If so, he puts in it some content of meaning peculiar to the "Free Church." But this is merely saying that you cannot be I—a thing which nobody denies. But, using the word free as an adjective, meaning unrestrained opportunity to preach what one believes, to unhesitatingly and emphatically proclaim every fact and principle proven or adopted by science, no one is more "free" than is the minister of the First Unitarian Society of Christians in Dover. When accepted into the Unitarian fellowship in February, 1894, he was not examined as to his belief in any "standard of Unitarian orthodoxy." Not one question within the domain of theology or dogma was asked. Every Unitarian is not only allowed to make his own creed, but there is a vast effort to inspire this. In the National Conference, the *majority* has made a very general statement for the information of the world outside, but it is not "to be construed as an authoritative test" to prevent the fullest fellowship and liberty of any who wish to work with them.

DUREN J. H. WARD.

THE STORY OF A FOOL.

The world has long been in the habit of seeking instruction from the lives of wise men. Is it not possible that instruction may occasionally be found in the lives of fools? Unitarianism, which has produced so many great sages and scholars, so many poets and historians and statesmen, and men of mark in all the walks of life, cannot escape the responsibility of having produced at least one fool. But to the story without further preface.

Once upon a time, a Fool was born in Boston, in the "Modern Athens," in the "Hub of the Universe!" The Fool's father and grandfather, as well as many other kinsmen of the same generations, had been staunch Unitarians, and several of them among the earliest champions of Unitarianism in New England. Moreover, the Fool was brought up in the ancient King's Chapel (Episcopalian at its foundation in 1686, but Unitarian during the present century), where the revered minister, Dr. Ephraim Peabody, was his father's cousin-german and lifelong personal friend. Clearly, then, the Fool being born and bred a Unitarian, and having been surrounded by Unitarian influences from his birth, he cannot be accused of intrusion into the sect of which he was a birthright member.

Now this Unitarian Fool, after being duly educated for the Unitarian ministry at Harvard and at Meadville, and after "candidating" for a year, was ordained at Dover, N. H., in 1864. At that time there was no national organization of Unitarianism; each local congregation was absolutely independent of any and all ecclesiastical organizations superior to itself. The American Unitarian Association was a voluntary union of mere individuals; it published numerous statements of Unitarian belief, but each

statement carried only the weight and influence of the man who made it, and the only way to get at the common belief was for the curious investigator to compare these various statements and generalize them for himself. This was the system of pure Congregationalism, which the Unitarians inherited from the Puritans, and of which they were always proud.

In those days, moreover, Unitarianism jealously guarded, as an inheritance from its great founder, Dr. Channing, a thought-system resting on four fundamental principles—

1. The Unity of God, excluding the Trinity of Three Persons and the Deity of Jesus.
2. The Dignity of Human Nature.
3. The Right of Spiritual Freedom as the noblest prerogative of Human Nature.
4. The Lordship and Kingship, the Saviorship and Mediatorship, the Miraculous Birth, Nature, Mission and Resurrection, in a word, the Exceptional Divinity of Jesus Christ as "*The Son of God.*"

Now the fourth of these principles irreconcilably contradicts the other three. According to the first three, which are founded on *Human Reason*, the supreme revelation of God is universal human nature, the nature of MANKIND, as a continuously living society of innumerable persons and generations of persons in space and time. According to the fourth, which is founded on *Christian Tradition*, the supreme revelation of God is a single and individual human nature, the nature of ONE MAN, as a miraculously born and uniquely commissioned person in human history, living at only one period in time and only one locality in space, yet appearing as the absolute representative of universal human nature and all the divine realities or divine possibilities latent in mankind as a whole. The contradiction here is irremedi-

able, unless the ideal of universal society can be completely fulfilled and exemplified in the historic life of a solitary individual. Competent students of philosophy will see in this clashing of principles the ultimate contradiction between Aristotle and Darwin, which is even now driving philosophy to work out a new and scientific theory of the mutual relations between the universal and the individual. But the Unitarians felt this contradiction in a very vague and disturbed consciousness, which took form in a rather blind but vigorous controversy between the "conservatives" and the "radicals." This controversy culminated in the formation of the National Unitarian Conference at New York, in April, 1865, which was professedly convened to organize the "Liberal Church of America." Here the conservatives won a complete victory over the radicals. Unlike the American Unitarian Association, the National Unitarian Conference was an ecclesiastically representative body, composed of the pastor and two delegates from each congregation; and all it said and did, although it disclaimed all direct ecclesiastical authority over the congregations, was in truth the authoritative word and deed of the "Unitarian denomination." To the outside world the acts of the Conference were the deliberate voice of the congregations themselves as a single body, and therefore defined Unitarianism with all the moral weight, influence, and authority of the whole denomination as such.

What was this definition? The Fool thought it was an avowal of the fourth principle alone, to the complete suppression of the first three principles; for it professed "our sense of the obligation of all disciples of the Lord Jesus Christ to prove their faith by self-denial, and by the devotion of their lives and possessions to the service of God and the building up of the

kingdom of his Son," but it said not one word about the "Unity of God," the "Dignity of Human Nature," or the "Right of Spiritual Freedom." What it affirmed was simply the corner-stone of *Historical Christianity*, the "Christian Confession" that Jesus of Nazareth was the Christ of God—that is, the Messianic Lord and King in the hoped-for "Kingdom of Heaven on Earth." But what it ignored was the corner-stone of free, universal, and spiritual *Religion*—that is, the right and the duty of every human soul to devote itself to the Divine Ideal in the perfect freedom of the democratic Commonwealth of Man, which knows neither Lord nor King.

Now the Fool thought—and it was this thinking that first made him a Fool—that what the Unitarian creed-preamble ignored was infinitely more important than what it affirmed; nay, more, that what it affirmed was false, that what it ignored was true, and that the grand historic opportunity of Unitarianism was to identify *Spiritual Christianity* with *Free Religion*. At that time, the conservatives stood for historical Christianity, and the radicals for spiritual Christianity; neither party as yet suspected that the Christian name itself must go, as the necessary condition of realizing spiritual freedom in universal religion. So next year, at Syracuse, in October, 1866, the Fool proposed a new preamble for the Unitarian Conference which should declare the "object of Christianity" to be the "universal diffusion of love, righteousness and truth," and "perfect freedom of thought" to be "at once the right and the duty of every human being,"—in which, moreover, no reference whatever was made to Jesus as an historical person. The effect of the adoption of this preamble would have been to identify Unitarianism with Spiritual Christianity, as itself Free Religion. But it was not adopted.

The proposed new preamble, on the first morning of the convention, was on every seat in Samuel J. May's church at Syracuse, in printed form. Dr. Hedge marched up the aisle, holding the paper aloft, and, in order to "take the bull by the horns," moved that the question be ordered for consideration at noon. This was done. The Fool began his speech in advocacy of the reform-preamble with this first sentence, the only one he had thought out in advance :

"In undertaking to address this great convention in which I see before me so many white and venerable heads, crowned with years and honors, and that halo of influence which always comes from noble and useful lives, I should apologise for my youth, were it not that my youth is the very reason why I ask to be heard." What followed was an earnest appeal to the Conference to render it possible, by changing their preamble, that the young ministers of the denomination, many of whom could not profess discipleship to "the Lord Jesus Christ," might retain their membership without loss of self-respect. The Fool implored them to recognize in their preamble the old Unitarian principle of freedom of thought, without which recognition the younger men felt that they were bound to a degrading intellectual servitude. He said that he, at least, did not believe in the Lordship of Jesus, and that, if the old preamble was retained unchanged, he should be excluded by it from continued membership in the Conference. This he said, then and there, in the most explicit terms. Clearly enough, only a Fool could have made such a speech in a Unitarian convention !

Charles C. Burleigh, the heroic old abolitionist, and Edward C. Towne, another young Unitarian minister, were the only ones at that memorable meeting to say a word in defence of the proposed new preamble.

O. B. Frothingham was absent; W. J. Potter was present, but did not speak. At the recess, Dr. Bellows spent the hours from one o'clock to three in organizing a procession of speakers against the reform preamble for the afternoon session, including all the *young* men he could persuade to take that side. Not a voice then was lifted in its defence; even Robert Collyer and James Freeman Clarke argued against it. It was Dr. Clarke's argument that seemed to carry the convention: namely, that the new preamble would probably have been adopted, if it had been presented at New York in 1865, but that, if it were adopted now in place of the old preamble, "*it would be said* that the Conference had given up Jesus Christ the Lord." That clinched the matter. The important consideration was *what the world would say*. Not what was true, but what would please the world—that should determine the Unitarian platform. So the vote went about two to one to keep the platform unchanged; the Unitarian denomination solemnly elected to abide by Historical Christianity, and continue to ignore its own grander tradition of Spiritual Christianity—its own nobler three-fourths. The Fool always believed that this momentous decision would have been reversed, if the defeated minority had only spoken as it voted. But it did not. What a splendid opportunity Unitarianism threw away at Syracuse! It might have made itself leader of the world's religious advance, and rendered possible the historic experiment of *Christianity as Spiritual Freedom*. But that it can now never be.

So the great opportunity of Unitarianism to make itself the world's leader to a higher and purer religion was thrown away, probably forever. But, to the Fool, the decision of the Unitarian Conference to retain the original preamble was a decree of excommunication. He had told the convention in

most explicit terms that he could not conscientiously or honorably continue to stand on that platform; he had told them in so many words that re-affirmation of the "Lordship of Jesus" would exclude all who could not join in it—that he himself, at least, would be exiled by it from the Unitarian Conference. With this immediate consequence in full view, the Conference nevertheless re-affirmed the "Lordship of Jesus," and deliberately refused to declare the preamble binding on the majority alone. That was the answer of the Conference to the plea of Rev. Edward C. Towne: "We come here as petitioners. We ask you to permit us to remain and work with you in the Conference, which we cannot do under the present preamble without a sacrifice of self-respect." Yet James Freeman Clarke afterwards argued in print that the preamble "excludes no one!" Did it not as evidently exclude Mr. Towne from the Unitarian Conference as the Thirty-nine Articles excluded Dr. Clarke from the Episcopal Church? Nobody is excluded from any church, if he will only consent to lie!

None of the radicals, however, acknowledged their actual exclusion at the time, except Mr. Towne and the Fool. All the rest either submitted and remained, or else slowly withdrew one by one without open protest. The fact, however, that he was excluded from the National Unitarian Conference by the creed imbedded in its preamble, was clearly seen and explicitly stated at the time by the incorrigible Fool. His friends told him he could "do no good," if he "went outside;" he had better submit and stay in, as they did. He replied that he knew no way of *doing* good except by *being* good, and that the first step towards being good was to be sincere. The Conference was not sincere; it took for its corner-stone the ancient Christian creed of the "Lord Jesus Christ,"

and yet pretended that this creed "excluded no one," not even those who in explicit terms rejected it! If the only way to "do good" was to join in this falsehood to the world, he must content himself with trying to "be good" by telling no lies. Was there ever such a Fool?

Now this was the state of facts which alone explains the "Dover Decree." Unitarianism, in the most solemn and authoritative way, so far as its conclave of distinguished leaders and official representatives could speak for it, had set up the "Lordship and Kingship of Jesus" as its standard of Unitarian Orthodoxy—this, and this alone. In doing so, it had consistently ignored its three other great principles inherited from Channing—the Unity of God, the Dignity of Human Nature, the Right of Spiritual Freedom; for these three principles which it ignored were contradicted by the fourth principle which it avowed. This was a great historical decision that Christianity cannot reconcile itself with Universal Religion. But it took the Fool some time to see the full force of this decision. He cherished the hope that Unitarians themselves, at least a majority of them, would rise in defence of the three ignored principles, and reverse the decision. But by 1868 he was compelled reluctantly to give up this hope. Forced by the moral influence of the Unitarian Conference over the minds of his parishioners to resign his pulpit, he was brought face to face with the question: "Can I again occupy a Unitarian Christian pulpit?" Self-evidently, the Fool richly earned his title by answering that question, "No." He went to the Unitarian headquarters, and had his name erased from the list of Unitarian ministers; he refused solicitations to settle over Unitarian Societies in Athol, Massachusetts, in Janesville, Wisconsin, and in Syra-

cuse, New York. But, when he came to leave his Dover Society, April 1, 1868, a majority of it, together with many outsiders (including a number of Jews), urged him to stay and continue to preach in Dover. He consented to do this provided he should be engaged by an "Independent Society." This was formed at once by organizing under that name, electing officers, swearing in three wardens and a clerk, contracting with the Fool through an executive committee, and holding the first meeting of the new Society in American Hall.

Unfortunately, the Unitarian members of the Independent Society, being a majority in the Unitarian Society at the same time, conceived that, as property-holders in the latter, they had the right to use their own meeting-house. This they might perhaps have done, legally and equitably, by voting that the *Unitarian Society* should grant the temporary use of its building for half of each Sunday to the *Independent Society*; for this courtesy is often extended by one society to another society of different views, without any illegality, injury, or offence to anyone. But the terms of the vote actually passed were so chosen by the mover, an acute lawyer who was secretly hostile to the new enterprise, as to avoid all express recognition of the Independent Society and to misrepresent it as a mere portion of the old organization. The vote was to give the use of the church building for half of the time to "each of the two divisions of the said [Unitarian] Society;" but, in consequence of verbal explanations made by the mover at the time, this language was universally understood by the unsuspecting hearers to mean the Independent Society. This ingenious but unscrupulous device served its turn as a trap. When, as was soon done, the conservative majority brought suit to expel them from the building, the pivotal

point of the suit was found to be the question whether this radical majority had seceded and formed an Independent Society, or whether it remained still a part of the Unitarian Society. As a new organization, it would have no right *under that vote* to use the church building at all; as part of the old organization, it would be brought back under the Unitarian name and connection, and the Independent Society would cease to exist. Either result would be complete practical defeat of the new movement, and this was the secret purpose of the framer of the motion. But no such result would have followed a vote of the Unitarian Society to grant the temporary use of its building for half the time to the Independent Society, as an act of courtesy sanctioned by well-established usage. This the mover knew well, and he had shaped his motion most sagaciously to make the record subserve his purpose in the suit which he foresaw; while he had made his accompanying verbal explanations such as to satisfy the radical majority whose confidence he was anxious to retain.

For no sooner was the lawsuit begun than the framer of this adroit motion volunteered his gratuitous services to the Independent Society as their counsel in the case, and was accepted by them without misgivings. The power thus gained he immediately used, in his printed brief, to deny before the Supreme Court of New Hampshire that his clients were an Independent Society at all. He then turned to his clients, and declared that they would lose their case, unless they sanctioned this denial; although to sanction it was to betray every principle which they had organized to defend. Playing upon their fears of heavy pecuniary liabilities, he persuaded some and intimidated others to consent to his plea in Court. The evidences of the new organization were concealed

and withheld, and the attempt was made to vindicate the right of a majority of "The First Unitarian Society of Christians in Dover" to sustain in their church-building preaching which opposed the fundamental principle of Unitarian Christianity; namely, that doctrine of the Lordship and Kingship of Jesus which had so lately been made the Unitarian Confession of Faith by the National Unitarian Conference. Such an attempt failed, as it ought to fail. It was an outrage, not only upon common sense and common decency, but also upon every legal principle governing the administration of trusts and the application of trust funds. In their decree of injunction, the Supreme Court simply took the Unitarians at their word. Simply and solely on the ground that "Unitarian Christian" *funds* must be limited to "Unitarian Christian" *uses*, and ought not to be used to sustain preaching which subverted or opposed "Unitarian Christian" *doctrines*, the Supreme Court decided that the defendants, having organized themselves as an Independent Society, had no right in law and equity to occupy the building of the Unitarian Society under the dishonest pretence that they were a mere "division" of the latter, a mere radical majority of it. This decision was a just and righteous one. By inducing them to take this dishonest ground, their counsel had betrayed them into abandoning their religious principles and losing their suit at the same time. Later, notwithstanding his having offered his services gratuitously, he presented to the defendants a bill of six hundred dollars; but they indignantly repudiated it, and never paid him a cent.

Now the Fool had withstood this treachery and this abandonment of principle from the start.

He had gone to the counsel of his supporters, and pleaded with him to defend their case on at least

honest grounds—to admit the fact of the Independent Society, no matter what its consequences might be, and not to urge his friends to deny what they all knew to be true. But this appeal was all in vain. He next appealed to his own supporters, Sunday, Sept. 20, 1868, to complete the legal organization of the Independent Society, and thereby to put its existence beyond the possibility of denial or misrepresentation. A committee was appointed to consider the question. On Sunday, Sept. 27, a majority report against legal organization was made, and the congregation voted to adopt it. By this vote the Fool's supporters withdrew their support, and sustained their counsel by refusing to carry out their promise of forming in good faith an Independent Society; and the Fool wrote his resignation as their preacher that same evening. He thus terminated his connection with the case about three months before the Supreme Court issued its decree of injunction at the December law term, for the simple reason that, even to found a Free Church, he could not make himself a party to a fraud. Was there ever such a Fool?

Yet, Fool as he was, it has remained to him ever since a source of satisfaction that the Supreme Court of New Hampshire emphatically approved his folly.

In pronouncing the decision of the full bench, Judge Sargent thus condemned the tortuous policy into which the Independent Society had been misled by their treacherous counsel:

“When Mr. Abbot saw how ready most of these defendants (except himself) were to abandon the Independent Society, and even to deny its very existence, after all that had been done by said Society, and how ready they were to assume any new position that might seem necessary; when he saw how ready they were even to desert and betray him, and to compro-

mise their own consistency and integrity for the sake of success in a paltry suit at law, it is not strange that he left them, when his year for which he had engaged was but half completed. His last prayer in Dover was, most probably, that he might be saved from his friends.

“He seems to have understood their true position, when he suggested that, after having taken the ground publicly and privately, as they had done, that they were an Independent Society, and were acting as such, they could not afford to win their suit on the ground that they were not; and when he boldly suggested to them that their honor and integrity were at stake, and could only be preserved by moving forward as an Independent Society, and abandoning the false position (in which they seemed willing to put themselves, in the hope of a temporary advantage in their suit) of claiming to be members of the old Society, which they had abandoned and seceded from. Fortunate would it have been for these defendants had they listened to this last admonition of their religious teacher, and followed his friendly advice and timely counsel in this matter of worldly concern, as they had long been doing in all matters that related to their religious and spiritual interests; for, although by that course they might not have won their cause in the suit, yet they would have gained what would have been infinitely better.”

These words carry all the more weight because the Judge, himself orthodox, had no sympathy whatever for the Independent Society, and proceeded to pass judgment in the case in the form of one of the most extraordinary injunctions ever granted by an American Court. This decree, however, is only the application to practice of the Unitarian preamble-creed—only the logical and legal enforcement of the platform which Unitarianism had adopted for itself at

New York and Syracuse in 1865-6 (substantially unchanged at Saratoga in 1894), when it planted itself exclusively on the "Lordship and Kingship of Jesus," and refused to reaffirm its own earlier principle of "perfect freedom of thought." The "Dover Decree" has gone into history, not as a contradiction of Unitarianism, but as its legal enforcement—not as an oppressive edict imposed upon Unitarians at all, but as an act of persecution which they instigated against the Independent Society, and which does but speak out loud the very heart of Unitarian Christianity as defined by itself! The Supreme Court of New Hampshire did but hold up a faithful mirror to Unitarianism, when it ordered the following decree of injunction, which ought to be read, pondered, and understood by every freedom-loving soul throughout this freedom-loving land :

SUPREME JUDICIAL COURT.

STRAFFORD, SS.

DECEMBER LAW TERM, 1868.

SAMUEL HALE & ALS. v. CHARLES E. EVERETT
& ALS.

Upon hearing the parties and their proofs,—

It is ordered, That the prayer of said bill be granted, with costs taxed at one hundred and fifty-three dollars and sixty-one cents ;

And that said Jasper H. York, George L. Folsom, and Carl H. Horsch, wardens of said First Unitarian Society of Christians in Dover, and all other wardens and members of said Society be jointly and severally strictly enjoined and forbidden to hire, employ, allow, suffer, or permit said Francis E. Abbot, or any other person, to preach and inculcate in the meeting-house of said society doctrines subversive of the fundamental principles of Christianity, as generally received and

holden by the denomination of Christians known as Unitarians; or to employ, suffer, or permit to preach in said meeting-house any person who rejects Christianity altogether; or who teaches that, as a system of religion, Christianity is partly true and partly false; or who preaches and inculcates a disbelief in the doctrine of the Lordship and Messiahship of Jesus Christ, as taught by him in the New Testament Scriptures, or a disbelief in Jesus Christ as the great head of the church, or of his divine mission and authority as a religious teacher, as thus taught by him; or who preaches and inculcates a denial of the doctrine that the Scriptures of the Old and New Testament do contain a divine revelation given by inspiration of God, and containing a sufficient and perfect rule of faith and practice;

And that said Francis E. Abbot, and all and every other person or persons, be forever strictly enjoined and forbidden to occupy said meeting-house of said society for the purpose of preaching and inculcating said disbeliefs, denials, and doctrines hereinbefore specially prohibited to be taught therein; and any and all other doctrine or doctrines subversive of the fundamental principles of Christianity, as generally received and holden by the denomination of Christians known as Unitarians.

IRA PERLEY, *Chief Justice.*

A true Copy of the original decree on file in the clerk's office.

Attest:

DANIEL HALL, *Clerk.*

What does this decree positively command? Simply this: that *nothing but Unitarian Protestant Christianity* shall be preached in a meeting-house built with money *given for that very purpose by Unitar-*

ian Protestant Christians. The Fool always held, and holds still, that the decree was righteous and just; and that, although much oppression lay in it, it was not oppression of the Unitarians *by the Court*, which granted the decree solely on the petition of the Unitarians themselves, but rather oppression *by the Unitarians* of those who held more intelligent opinions than their own. Yet Dr. Ward does not hesitate now to declare that the Unitarians were the "martyrs" in 1868! On the same principle he would declare that Bloody Queen Mary, and not John Rogers, was the "martyr" in 1555. The real "martyr" in Dover was not the Fool—he was never enough of a fool to say or think that. Not at all! The "martyr" was rather the Free Church which he had succeeded in founding, but which was betrayed and done to death by Unitarian hate. The air at that time was black with epithets such as "infidel," "renegade," "apostate," hurled by the Unitarians at the Independents; but the Fool was and is proud to believe that no epithet or bitter word was ever hurled back. He will never forget the reverent exclamation of his chief friend and supporter (now many years dead) after one of these fierce ebullitions: "Let *us* be worthy of the Spirit we aspire to!" The hate was all on one side.

The truth of this last statement is illustrated in the following extract from a letter dated at Dover, June 15, 1868, and addressed to the Fool during his temporary absence by one who knew as little how to exaggerate as to falsify:

"Mrs. Thomas Smith met Mr. Barnes, and asked him to go to church with her. He got raving mad about it, and said he should go there of his own accord in three weeks. He and Mr. Hale have changed their tactics. Instead of trying to get the church away from our side, they are trying to get you in-

dicted for preaching in the meeting-house. Mr. Hale says, if it cannot be done any other way, they will have you imprisoned for preaching against Christianity. He says, with how much truth I do not know, that, according to the laws of the State, it can be done. See what you are coming to! Mrs. Wallingford told me of it, and then Dr. York asked me to let you know about it when I wrote. Mrs. Wallingford seemed to think they would do it, if they could; but I do not believe they will dare to."

But Dr. Ward has made other misstatements which no less need correction.

I. When the editor of the FREE CHURCH RECORD said that "no Unitarian minister, no Unitarian periodical, ever uttered a word of protest or of regret over this flagrant violation of the principle of freedom to which Unitarianism originally stood pledged," the manifest meaning of this correct statement is that there was no *public* expression of such protest or regret. The omission of this word *public* enables Dr. Ward now to say plausibly: "Many Unitarian ministers have uttered regrets, and one at least (Rev. Charles A. Allen) made an earnest attempt to secure the dissolution of the decree." But all this was *private*. The Fool has yet to learn that Unitarian regret for this Unitarian victory over spiritual freedom ever found expression *in print*. If it did, let Dr. Ward cite it now. Mr. Allen's "earnest attempt" never got so far as the Court. No doubt, many Unitarians felt secretly ashamed of this most shameful chapter of Unitarian history. But, so far as the Fool knows, they swallowed their shame in silence, and never told the world of it. They were content to reap the ecclesiastical profits of what the editor so well calls "the crime of '68."

II. When the editor says that Dr. Ward "preaches the very doctrines for which Dr. Abbot was expelled," Dr. Ward replies that "this is wide of the mark," because, as he goes on to argue, he himself accepts that name of "Christian" which the Fool rejects. This answer seems to the Fool to be evasive. The "doctrines" referred to are all enumerated in the Decree itself, as already given above; which of them does Dr. Ward *not* preach? Does not he, too, preach that, "as a system of religion, Christianity is partly true and partly false?" That "the doctrine of the Lordship and Messiahship of Jesus Christ, as taught by him in the New Testament Scriptures," is an untrue doctrine? That the doctrine of "his divine mission and authority as a religious teacher, as thus taught by him," is an untrue doctrine? That "the doctrine that the Scriptures of the Old and New Testaments do contain a divine revelation given by inspiration of God, and containing a sufficient and perfect rule of faith and practice," is an untrue doctrine? Does he advocate a single one of those doctrines of which the Decree forbids denial or disbelief in that pulpit at Dover?

The Fool believes that Dr. Ward "preaches and inculcates" in his Dover pulpit all the "said disbeliefs, denials, and doctrines hereinbefore specially prohibited to be taught therein;" and that all Unitarian preachers in that pulpit from December, 1868, down to September, 1896, have been, like Dr. Ward, more or less, open and persistent transgressors of the Decree and violators of the law. If anyone had complained to the Supreme Court, he could have got them expelled from that pulpit, just as the Fool would have been expelled, if he had not resigned months beforehand for the reasons stated above.

This belief of the Fool rests on good evidence with reference to some, at least, of the prohibited doctrines. For instance, this is what Dr. Ward has published, in a sermon on "Christian Credulity," respecting the significance of the Christian name—and others besides the Fool, perhaps, would like to know how he reconciles it with his now professed acceptance of that name: "With the exception of two or three denominations insignificant in numbers, to become a 'professed Christian' means to credulously accept (without question) a system of belief about God, and man, and the world, which you would deny almost *in toto*, if you reasoned as you do elsewhere, and which in these days you do practically deny by re-explaining and refining it into anything and everything but what is stated. Deep down in your heart, you do not and never did believe it in the same manly and honest way in which you form your other opinions. . . . Both Protestantism and Catholicism are systems built on essentially the same foundation." Somebody once divided mankind into "saints, sinners, and the Beecher family." The Fool would now divide Christians into Catholics, Protestants, and Dr. Duren J. H. Ward! And he would apply to Dr. Ward his own bold words: "Deep down in your heart, you do not and never did believe [that you are a Christian] in the same manly and honest way in which you form your other opinions."

Moreover, this is what Dr. Ward has published in the same sermon about the Bible: "Take, again, the dogma of Revelation. It tells us that the Bible is a revelation of the will and wisdom of an omniscient God; that it is a 'perfect and sufficient rule of faith and practice.' What in the name of humanity causes people to make such statements today? . . . At the times when each of these sixty-odd biblical pam-

phlets were written, there was no belief that they were infallible or inspired any more than other equally earnest works. And there never was any intrinsic reason for believing this, except that a designing priesthood said so and stupid people trusted them. Such a doctrine is an injustice to the truth, and an injustice to all succeeding generations. And every man who promulgates it is doing a piece of deceiving (innocently or otherwise) that would cause his arrest in anything except religion. Here, by common consent, men agree to be duped."

In face of these extracts, who can deny that Dr. Ward "preaches the very doctrines" which are enumerated and prohibited in the Dover Decree? No wonder he wanted to get that Decree dissolved! Until it was dissolved, he was certainly a law-breaker. In order *not* to be a law-breaker, even in the case of this oppressive Dover Decree, the Fool reluctantly refused to conduct funeral services for a deceased friend in the Dover Unitarian meeting-house, many years after the Decree had been habitually violated by the regular pastors in that very pulpit. But this was only another proof of the Fool's incorrigibility.

III. When the editor says that "the method of securing its dissolution was sadly at variance with what the spirit of justice and fairness demands," Dr. Ward replies that this statement is "simply preposterous." Let us see about this.

The original method of securing the Decree itself was to give both parties a full and equal hearing in the open court, and not to pronounce judgment until after this full and equal hearing had been granted. That was in accordance with "what the spirit of justice and fairness demands." But the method of securing the dissolution of the decree was to give to only one of the parties a hearing, to give to the

other party no hearing at all, and to pronounce judgment, therefore, *contrary to* "what the spirit of justice and fairness demands." It is true, as Dr. Ward says, that the Fool was "notified on the very day of the removal of the Decree." *Why was he not notified on the very day on which the petition for its removal was filed? Why was he given no chance to be heard in court?* Nothing less than that was "what the spirit of justice and fairness demands." If the Fool had been notified in season, as he ought to have been notified, he would have appeared by counsel in the court to protest against the dissolution of the Decree.

Probably a well-grounded apprehension of his appearance for that purpose was the reason why Dr. Ward, as he himself states, notified all the parties in interest "except one"—the "one" being the Fool.

But why should this inconceivable Fool have felt called upon to protest against the repeal of a prohibition to preach his own deeply rooted convictions? Briefly, because to dissolve that Decree was contrary to public morality. Christianity being what it is, that Decree was a repulsive but truthful revelation of the persecuting spirit which is inseparable from the Christian Confession of the Lordship of Jesus Christ. That Decree had been granted on the petition of Unitarian Protestant Christians themselves, for the avowed purpose of protecting Unitarian Protestant Christianity. It had served its purpose by persecuting and suppressing Free Religion in Dover—by destroying the Free Church of 1868, the Independent Society. But it had done this melancholy work of persecution by confessing to the world too frankly that Unitarian Protestant Christianity rests of necessity on a *creed* of very definite *dogmas*; and this too frank confession clashed with the insincere pretence that Unitarianism is a religion of *creedless freedom!*

No wonder that the Unitarians themselves have become ashamed of their own victory, and, having long since reaped its fruits, desire now to pose as themselves the victims of legal persecution, the only "martyrs" in the case! Dr. Ward's astonishing claim that "the Unitarians are 'martyrs'" is just as true as the wolf's claim in the fable to be the victim of the lamb. The Unitarian minority itself sought the Decree, in order to kill the Independent Society, but now, having accomplished that murder, it has got that very Decree dissolved on the pretence that it was itself the "martyr." The Fool believes that all this is shockingly immoral; and that the Decree, honestly interpreting the principles of all Protestant Christianity, ought to have stood in full force until the National Unitarian Conference drops its profession that it "accepts the religion of Jesus"—until it drops the Christian name, and comes out bravely and sincerely for Universal Religion. That, in the Fool's opinion, is what public morality requires.

IV. But a graver matter remains behind—one which even the Fool hesitates to treat with the explicitness it demands. Dr. Ward's article contains this passage: "The writer of the editorial says, 'the Decree was removed without even notifying Dr. Abbot, the party enjoined.' Had the writer carefully read the Decree, he would have seen that Dr. Abbot was not the party enjoined. The Decree distinctly names the then serving wardens, and proceeds to say, 'and all other wardens and members of said society be jointly and severally strictly enjoined and forbidden to hire, employ, allow, suffer or permit said Francis E. Abbot, or any other person, to preach and inculcate,' etc. Hence the Unitarian Society, and no one else, are the parties recognized by the law."

The text of the Decree has been printed in full above. If the reader will but turn back to it, he will find there the following words: "And the *said Francis E. Abbot*, and all and every other person or persons be forever strictly *enjoined and forbidden* to occupy said meeting house of said society for the purpose of preaching and inculcating," etc.

Yet Dr. Ward, with the Decree lying before him, quoting its exact language in part, and rebuking the Editor for not having read it "carefully," dares to say that the Fool was *not* "the party enjoined!" The Fool was enjoined by name *not to preach in that meeting-house*; the wardens were merely enjoined by name *not to allow him to preach there*. Who but the Fool was the party really enjoined? What must be thought of Dr. Ward, when he, presuming on popular ignorance of the Decree, uses his own knowledge of it to falsify it, and to declare unblushingly that "the Unitarian Society, AND NO ONE ELSE, are the parties recognized by the law?"

V. Dr. Ward is more cautious, when he does not deny, but restricts himself to throwing doubts upon the editor's statement that, in securing this Decree from the Court, the Unitarian minority was "secretly backed by the American Unitarian Association." But the editor was entirely correct in his statement. It was a matter of common notoriety in Dover at the time that the applicants for the injunction were helped with constant sympathy and advice at the Unitarian headquarters in Boston. This fact was a common boast of the applicants themselves, and was used to intimidate or to win to their own side such Unitarians as belonged to the Independent Society. The Fool himself once stumbled by accident upon one of these consultations, at the rooms of the American Unitarian Association. Opening the door, he